

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

BILLIE RODRIGUEZ, DANIEL ERWIN,
MICHAEL B. ACKERMAN, KYLE
FOREMAN, DREW SCRUGGS, MARY
KANE MCQUEENY, EMILY THORPE,
JENNIFER TRITT, and THE BOARD OF
COUNTY COMMISSIONERS OF THE
COUNTY OF FORD, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

EXXON MOBIL CORPORATION,
CHEVRON USA INC., CHEVRON PHILLIPS
CHEMICAL COMPANY LP, DUPONT de
NEMOURS INC., CELANESE
CORPORATION, DOW INC., DOW
CHEMICAL COMPANY, EASTMAN
CHEMICAL COMPANY,
LYONDELLBASELL INDUSTRIES, N.V.,
and AMERICAN CHEMISTRY COUNCIL,

Defendants.

and

STATE OF KANSAS, *ex rel.* KRIS W.
KOBACH, Attorney General,

Defendant-Intervenor.

Civil Action No. 4:24-00803

Honorable Stephen R. Bough

**DEFENDANT CHEVRON PHILLIPS CHEMICAL COMPANY LP'S
INDIVIDUAL MOTION TO DISMISS PURSUANT TO RULE 12(B)(2) AND RULE 12(B)(6)**

Defendant Chevron Phillips Chemical Company LP (“CPChem”), by and through its undersigned counsel, hereby brings this individual motion to dismiss Plaintiffs’ claims against CPChem pursuant to Rule 12(b)(2) and 12(b)(6). CPChem moves to dismiss all of Plaintiffs’ claims, including their federal antitrust claim (Count I), under Rule 12(b)(2) for lack of personal jurisdiction, and further moves to dismiss all of Plaintiffs’ claims under Rule 12(b)(6) for failure to state a claim.

In support of this Motion, CPChem incorporates herein and relies upon its Suggestions in Support filed contemporaneously with this Motion.

WHEREFORE, CPChem respectfully requests that this Court grant its individual motion to dismiss Plaintiffs’ claims against CPChem.

Dated: March 10, 2025

Respectfully submitted,

/s/ Tristan L. Duncan

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*Attorneys for Defendant, Chevron Phillips
Chemical Company LP*

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2025, a copy of the above pleading was served via the District Court ECM/ECF system on all counsel of record.

/s/ *Tristan L. Duncan*

Attorney for Defendant

Chevron Phillips Chemical Company LP